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E-FILED on 5/24/10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FELTON A. SPEARS, JR. and SIDNEY SCHOLL, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

WASHINGTON MUTUAL BANK FA, also known as Washington Mutual Bank, FIRST AMERICAN APPRAISEIT, a Delaware corporation; and LENDER SERVICE, INC.,

Defendants.

No. C-08-00868 RMW

ORDER DENYING MOTION TO SEAL

[Re Docket No. 188]

Plaintiffs move to file under seal Exhibits A-O, Q, S, and U attached to the Declaration of Michael D. Braun in Support of Plaintiffs' Motion for Class Certification and certain portions of Plaintiffs' Notice of Motion, Motion for Class Certification, and Memorandum in Support which quote from these exhibits. On May 13, 2010, the court ordered the parties to either explain why all of the designated material is sealable or to submit a narrowly tailored request to file under seal only those portions of the documents that are sealable material. Plaintiffs represented that they sought to file the designated material under seal because it has been designated "Confidential" by defendant eAppraiseIT. The court has been informed that eAppraiseIT has now withdrawn its designation of the material at issue as "Confidential" and will not be filing any further papers explaining why the material should be sealed. It appears that eAppraiseIT no longer seeks to have any of the material

1 filed under seal. Accordingly, the court denies the motion to seal in its entirety. Pursuant to Local
2 Rule 79-5(e), plaintiffs have 4 days to resubmit the documents for filing in the public record.

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Ronald M Whyte
RONALD M. WHYTE
United States District Judge

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20 || Dated: 5/24/10

CCL
Chambers of Judge Whyte